

BOARD OF FORESTRY AND FIRE PROTECTION

P.O. Box 944246
SACRAMENTO, CA 94244-2460
(916) 653-8007
(916) 653-0989 FAX
Website: www.fire.ca.gov



BOARD OF FORESTRY AND FIRE PROTECTION **MEETING ANNOUNCEMENT AND AGENDA**

Announcement Date: August 29, 2002

FULL BOARD

Date: September 11-12, 2002
(Wednesday and Thursday)

Location: Wednesday:
Visalia Convention Center
San Joaquin Rooms A&B
303 E. Acequia Avenue
Visalia, California

Thursday:
Radisson Hotel
Plaza Ballroom
300 S. Court Street
Visalia, California

Time: September 11 - 4:00 p.m.
September 12 - 8:00 a.m.

INTERIM COMMITTEE MEETING

Date: September 11, 2002 (Wednesday)

Location: Visalia Convention Center
San Joaquin Rooms A&B
303 E. Acequia Avenue
Visalia, California

Time: 8:00 a.m. – Noon

Ad Hoc WATERSHED COMMITTEE MEETING

Date: September 11, 2002 (Wednesday)

Location: Visalia Convention Center
San Joaquin Rooms A&B
303 E. Acequia Avenue
Visalia, California

Time: 1:00 p.m. – 4:00 p.m.

RESOURCE PROTECTION COMMITTEE MEETING

Date: September 11, 2002 (Wednesday)

Location: Visalia Convention Center
San Joaquin Room C
303 E. Acequia Avenue
Visalia, California

Time: 9:00 a.m. – Noon

FIELD TRIP

Date: September 10, 2002 (Tuesday)

Time: 9:00 a.m.

Note: The Field Trip will begin at 9:00 a.m. in the parking lot of the Methuselah Group Campground in the Mountain Home Demonstration State Forest. The campground is approximately 15 miles from Springville, California, via Bear Creek Road. The Board will be stopping at selected sites in the Mountain Home Demonstration State Forest. Members of the public are invited to attend but should be prepared to provide their own transportation and lunch. The estimated end time of the tour is 4:00 p.m.

FULL BOARD AGENDA

September 11, 2002 (Wednesday – Visalia Convention Center)

4:00 p.m.

1. Call to Order
2. **Executive Session: (Closed to the Public)** Discussion of Matters Related to Foresters Licensing such as Certifications; Voluntary Relinquishments; and/or Revocations of RPF Licenses/CRM Certifications Under Section 11126 (c)(1), (c)(2), (c)(3) of the Government Code; Employee Evaluation Under 11126 (a)(1); also Discussion of Pending and Potential Litigation Under Section 11126 (e) of the Government Code. Cases to be discussed are: **Campaign to Restore Jackson State Redwood Forest and Dharma Cloud Charitable Foundation Trust v. California Department of Forestry and Fire Protection, California Board of Forestry and Does I through X**, Mendocino County Superior Court, Case No. SCUKEVG 0083611; **California Oak Foundation, et al. v. Board of Forestry, et al.**, San Francisco County Superior Court, Case No. 314859; **Gualala Redwoods, Inc. v. California State Board of Forestry, California Department of Forestry and Fire Protection, Andrea Tuttle, and Does 1 through 10**, Sacramento County Superior Court Case No. 02-CS00356; **Donald H. Weburg v. State Board of Forestry for the State of California, and Does 1-20**, Sacramento County Superior Court Case No. 02-CS00204, **Kenneth Bareilles v. State of California Board of Forestry and Fire Protection, California Department of Forestry and Fire Protection**, Humboldt County Superior Court Case No. CV020310, and **Environmental Protection Information Center v. California State Board of Forestry and Fire Protection, California Department of Forestry and Fire Protection, and Does 1-30**, San Francisco County Superior Court Case No. CPF-02-501326. (The Executive Session may be reconvened if determined necessary.)

September 12, 2002 (Thursday – Radisson Hotel)

8:00 a.m.

3. Reconvene Open Session
4. Announcement of Actions Taken in Executive Session

5. Approval of Minutes of the August 2002 Meeting
6. Report of the Chairman
7. Report of the Director
8. Report of the Oak Mortality Task Force
9. Review and Consideration of County Action Plan(s) addressing Sudden Oak Death Hazard Tree Removal and Disposition, which may be received from the counties of Alameda, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz and/or Solano

Possible Action Item: The Board may approve the submitted plan(s) and grant funding for project implementation as mandated under AB 62.

10. Report of Federal Agencies Including USDA Forest Service, National Marine Fisheries Service, US Fish & Wildlife Service and US Environmental Protection Agency
11. **Public Forum:** Members of the Public may address the Board on any topic within its Jurisdiction not otherwise on the Agenda. Please be prepared to summarize comments to five minutes in length.
12. Presentation and Review of the Current Mountain Home Demonstration State Forest Management Plan, including Potential Recommended Modifications

Possible Action Item: The Board may approve the current Management Plan, with any non-substantive modifications recommended by the Department, or request additional modifications as deemed appropriate.

9:00 a.m.

13. **Hearing:** To Consider the Amendment of Regulations modifying the process by which Archaeological Sites associated with Timber Harvesting Operations are addressed. The Proposed Modifications will eliminate the Requirement for the use of a Specified Form to comply with Survey and Assessment requirements, include additional Mapping requirements, require that Native Americans be notified of Site discoveries, and address potential Operations within Archeological or Historical sites. The Affected Regulations include 14 CCR §§ 895.1, 929.1 through 929.5 [949.1 through 949.5, 969.1 through 969.5], 1037.5(a) and 1052.

Note: The hearing will be on rule language in a 45-Day Notice circulated on July 26, 2002. The noticed language is available from the Board's office and is also available on the Board's web page: http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html

9:30 a.m.

14. **Hearing:** To Consider the Amendment of Regulations that detail Factors to be Addressed in the Cumulative Impacts Assessment. The Proposed Modification details additional Elements to be Considered in association with the Retention of Deciduous Oaks following Timber Harvesting. The Affected Regulations include 14 CCR §§ 932.9 and 952.9

Note: The hearing will be on rule language in a 45-Day Notice circulated on July 26, 2002. The noticed language is available from the Board's office and is also available on the Board's web page: http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html

10:00 a.m.

15. **Hearing:** To Consider the Amendment of Current Interim Regulations that address Tractor Operations, Roads, Landings, Watercourse Crossings, Soil Loss Reduction and Erosion Control Maintenance. These Regulations are Proposed for Permanent Adoption. Affected Regulations include 14 CCR §§ 895.1, 914.2 [934.2, 954.2], 914.6 through 914.8 [934.6 through 934.8, 954.6 through 954.8], 916.7 [936.7, 956.7], 923 through 923.3 [943 through 943.3, 963 through 963.3], 923.5 [943.5, 963.5], 923.8 [943.8, 963.8] and 1050.

Note: The hearing will be on rule language in a 45-Day Notice circulated on July 26, 2002. The noticed language is available from the Board's office and is also available on the Board's web page: http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html

10:30 a.m.

16. **Hearing:** To Consider Amendment of Section 1058.5, Title 14 of the California Code of Regulations, addressing the time period in which the Board must act on a Proposed Decision rendered by an Administrative Law Judge in an Administrative Civil Penalty action. The proposed language would extend the time period in which the Board must take action on a Proposed Decision by 60 days if transcripts of the proceedings are requested.

Note: The hearing will be on rule language in a 30 Day Public Notice circulated on August 5, 2002. The noticed language is available from the Board's office and is also available on the Board's web page: http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html

10:45 a.m.

17. **Hearing:** To Consider Amendment of Regulations specifying Minimum Stocking Levels following Timber Harvesting. The Proposed Amendment will add the definition for "Decadent and Deformed Trees of Value to Wildlife", and allow credit for the Retention of Snags and Decadent Trees to partially meet Stocking Requirements when greater than the Minimum Stocking is required. Additionally, Seed Tree Retention Standards are redefined for both Even and Uneven Aged Regeneration Methods from a Minimum Number of Trees per acre greater than 18 inches in diameter to a Minimum Basal Area per acre of Trees greater than 18 inches in diameter. The Affected Regulations include 14 CCR §§ 895.1, 912.7 [932.7, 952.7], 913.1 [933.1, 953.1] and 913.2 [933.2, 953.2].

Note: The hearing will be on rule language in a 15-Day Notice circulated on August 26, 2002. The noticed language is available from the Board's office and is also available on the Board's web page: http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html

18. Report of Board's Advisory Committees

- Forest Pest Council
- Range Management Advisory Committee
- Monitoring Study Group
- Professional Foresters Examining Committee

Possible Action Items: Issuance of RPF Licenses/CRM Certifications, Withdrawals, Reinstatements, Voluntary Relinquishments, Suspensions, Revocations, or other Actions

19. Consideration of the Recommendation by the Nomination Review Committee for the 2002 Francis H. Raymond Award. The Award is made by the Board to recognize outstanding contributions to Forestry in California.

20. Report of Interim, Resource Protection, and *Ad Hoc* Watershed Committees

21. Report of Executive Officer, including Proposed State and Federal Legislation

Note: The Board's Executive Officer will report on ongoing administrative matters, proposed state or federal legislation or programs, resolutions, or new items coming before the Board. The Board may act in response to requests of the Executive Officer on items presented in the report.

22. New and Unfinished Business

23. Adjournment

Note: The Board may take any non-hearing agenda item out of order as time permits and may discuss agenda items scheduled for committees, including legislation. The Board may act on recommendations by its committees on items listed in their respective agendas.

COMMITTEE AGENDAS

INTERIM COMMITTEE

Date: September 11, 2002 (Wednesday)

Location: Visalia Convention Center
San Joaquin Rooms A&B
303 E. Acequia Avenue
Visalia, California

Time: 8:00 a.m. – Noon

1. Continued Review of Oak Retention Standards contained in 14 CCR §959.15(a)
2. Discussion of the Forest Reptile and Amphibian Working Group (FRAWG) proposal focusing on Additional Considerations for Springs, Seeps, and Wet Areas
3. Update on Upcoming Forest and Range Assessment by Department
4. New and Unfinished Business

Note: The Interim Committee may continue discussion of items included in its agenda or the full Board agenda if the Board recesses or adjourns. If the Interim Committee completes its agenda topics prior to Noon, the *Ad Hoc* Watershed Committee may convene immediately thereafter.

***Ad Hoc* WATERSHED COMMITTEE**

Date: September 11, 2002 (Wednesday)

Location: Visalia Convention Center
San Joaquin Rooms A&B
303 E. Acequia Avenue
Visalia, California

Time: 1:00 p.m. – 4:00 p.m.

1. Continued Discussion regarding the Concept of Road Management Plans
2. Discussion of the Rule Proposal addressing Roads and Winter Operations submitted by the National Marine Fisheries Service
3. New and Unfinished Business

The *Ad Hoc* Watershed Committee may continue discussion of items included in its agenda or the full Board agenda if the Board recesses or adjourns. If the Interim Committee completes its agenda topics prior to Noon, the *Ad Hoc* Watershed Committee may convene immediately thereafter.

RESOURCE PROTECTION COMMITTEE (RPC)

Date: September 11, 2002 (Wednesday)

Location: Visalia Convention Center
San Joaquin Room C
303 E. Acequia Avenue
Visalia, California

Time: 9:00 a.m. – Noon

1. Report by CDF Deputy Director, Fire Protection; including Reports from Region Chiefs
2. Continued Discussion of Proposed Revisions to the Board's Fire Policies
3. Report by the USDA Forest Service Regarding Fire Management Activities
4. Report by the Department of Fish and Game on Activities related to Fire
5. Advisory Committee Reports:

Statewide Fire Safe Council
Range Management Advisory Committee
Vegetation Management Program

6. New and Unfinished Business